

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM OMAR MEDINA	:	CIVIL ACTION
	:	
v.	:	NO. 20-2426
	:	
ALFRED HALLMAN	:	

**ORDER**

**AND NOW**, this 31<sup>st</sup> day of December 2020, upon considering Defendant Hallman's Motion to dismiss and Motion to strike (ECF Doc. No. 38) the *pro se* Plaintiff's amended Complaint (ECF Doc. No. 37), upon finding the amended Complaint does not state a claim or cause of action but seemingly pleads additional facts possibly relevant to his existing claims, and consistent with our screening obligations under 28 U.S.C. § 1915(e)(2)(B) while mindful of our obligation to liberally construe *pro se* allegations, it is **ORDERED** Defendant Hallman's Motion (ECF Doc. No. 38) is **GRANTED in part** and **DENIED in part**:

1. We **strike** the proposed second amended Complaint (ECF Doc. No. 37) as not sufficiently pleading new claims but not precluding evidence relating to the allegations should they be admissible at trial; and,

2. We **deny** Defendant's request for dismissal and the parties shall proceed under the amended Complaint and Answer (ECF Doc. Nos. 11, 27) consistent with our November 3, 2020 Order (ECF Doc. No. 33).

  
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KEARNEY, J.